

DEC 21 2010

Docket No.: 69240DIV2(308869)  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Muriel Moser et al.

Application No.: 10/072,425

Confirmation No.: 4226

Filed: February 7, 2002

Art Unit: 1644

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For: DENDRITIC-LIKE CELL/TUMOR CELL  
HYBRIDS AND HYBRIDOMAS FOR  
INDUCING AN ANTI-TUMOR RESPONSE

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Examiner: G. R. Ewoldt

**REQUEST FOR RECONSIDERATION OF THE DISMISSAL OF THE PETITION UNDER  
37 1.137(B) FILED MARCH 17, 2010.**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

The petition dismissal dated October 21, 2010, states that the petition under 37 1.137(B), filed March 17, 2010, the contents of which are incorporated herein by reference, has not satisfied the requirement of submitting a proper response to the April 22, 2009 final office action.

Accordingly, Applicant has submitted herewith a Notice of Appeal and the required fee, in order to satisfy the requirement of submitting a proper response to the April 22, 2009, characterized by the Office as a final office action.

Applicant is still puzzled over how the office action dated April 22, 2009, can be considered a final office action since it is a first office action addressing an RCE submission containing claim amendments which were described as raising new issues after final, in an advisory action dated December 3, 2008.

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NO. 0503 P. 4

Application No.: 10/072,425

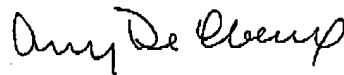
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No additional fee is believed necessary, but please charge any necessary fees required in connection with the paper transmitted herewith to Deposit Account No. 04-1105, Reference No.: 69240DIV2(308869).

Dated: December 21, 2010

Respectfully submitted,



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